

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BILLY ANDERSON, No C-10-1857 VRW (PR)
Petitioner,
v ORDER OF TRANSFER
HIGH DESERT STATE PRISON,
Respondent.

Petitioner seeks federal habeas review of a conviction from the Superior Court of the State of California in and for the County of San Luis Obispo, which lies within the venue of the Central District of California, Western Division. See 28 USC § 84(c)(2). Petitioner is incarcerated at High Desert State Prison in Susanville, county of Lassen, which lies within the venue of the Eastern District of California. Id § 84(b).

Venue in a habeas action is proper in either the district of conviction or the district of confinement. See 28 USC § 2241(d). Petitions challenging a conviction, however, preferably are heard in the district of conviction. See Habeas LR 2254-3(a); Dannenberg v

1 Ingle, 831 F Supp 767 (ND Cal 1993).

2 Because the county of conviction, ie, San Luis Obispo,
3 lies in the Central District of California, Western Division,
4 pursuant to 28 USC § 1406(a) and Habeas Local Rule 2254-3(b)(1) and
5 in the interest of justice the court orders this petition
6 TRANSFERRED to the United States District Court for the Central
7 District of California, Western Division.

8 The clerk shall terminate all pending motions as moot,
9 close the file and transfer this matter to the United States
10 District Court for the Central District of California, Western
11 Division.

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13 IT IS SO ORDERED.

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17 VAUGHN R WALKER
18 United States District Chief Judge
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